

# RECYCLING CREDIT/DEDUCTION

Instructions on back

MCA 15-31-201

MONTANA

RCYL

Rev. 8-96

NAME as shown on Form 2

Social Security Number

Federal Identification Number

BUSINESS NAME if different from above

Circle one:

Sub-S Corp.

Partnership

Sole Proprietorship

## Part I

- |  | Yes                      | No                       |
|--|--------------------------|--------------------------|
| 1) Was the qualifying machinery/equipment purchased on or after the first day of the current taxable year and before the last date of the current taxable year?..... | <input type="checkbox"/> | <input type="checkbox"/> |
| If you answer no to question #1, STOP HERE, you do not qualify.  |                          |                          |
| 2) Is the machinery/equipment used in Montana primarily for collections or processing reclaimed material?....  | <input type="checkbox"/> | <input type="checkbox"/> |
| 3) Is the machinery/equipment used in Montana primarily in the manufacturing of finished products from reclaimed materials?.....                                     | <input type="checkbox"/> | <input type="checkbox"/> |
| 4) Is the machinery/equipment used to treat soils contaminated by hazardous wastes?.....   | <input type="checkbox"/> | <input type="checkbox"/> |
| 5) Was the machinery/equipment located and operating for Montana on the last day of the taxable year for which the credit is claimed?.....                           | <input type="checkbox"/> | <input type="checkbox"/> |
| If you answer no to all questions #2, #3, and #4 or no to question #5, do not complete this form, you do not qualify for the credit.                                 |                          |                          |

## Part II - For Equipment Used in Montana

- 1) Type and purpose of equipment \_\_\_\_\_
- 2) Date of Purchase \_\_\_\_\_
- 3) Cost of Equipment (not to exceed \$1,000,000).....\$ \_\_\_\_\_
- 4) Computation of Credit (multiply the cost of the equipment by the following percentages):
- |                                     |          |
|-------------------------------------|----------|
| Multiply the first \$250,000 by 25% | _____    |
| Multiply the next \$250,000 by 15%  | _____    |
| Multiply the next \$500,000 by 5%   | _____    |
| TOTAL CREDIT.....                   | \$ _____ |

## Part III - For qualifying specialized mobile equipment used in and out of Montana

- 5) Type and purpose of equipment \_\_\_\_\_
- 6) Date of Purchase \_\_\_\_\_
- 7) Cost of Equipment (not to exceed \$1,000,000).....\$ \_\_\_\_\_
- 8) Number of days used in Montana \_\_\_\_\_
- 9) Total days used for the year \_\_\_\_\_
- 10) Divide amount on Line 8 by amount on Line 9. \_\_\_\_\_
- 11) Computation of Credit:
- |  |          |
|--|----------|
| Multiply the ratio on line 10 by 25% then multiply the first \$250,000 of line 7 | _____    |
| Multiply the ratio on line 10 by 15% then multiply the next \$250,000 of line 7  | _____    |
| Multiply the ratio on line 10 by 5% then multiply the next \$500,000 of line 7   | _____    |
| TOTAL CREDIT.....  | \$ _____ |
- 12) TOTAL CREDIT AVAILABLE (Amount from Part II, Line 4 and /or Part III, Line 11)  
Enter this amount on Schedule II, Form 2A.....\$ \_\_\_\_\_

## Part IV - Additional deduction for purchase of recycled materials

- 1) Type of recycled material purchased \_\_\_\_\_
- 2) Cost of recycled material.....\$ \_\_\_\_\_
- 3) Multiply the amount on line 2 by 10% (.10) and enter the result here. This is the amount of your additional deduction.  
Enter on line 32, Form 2.....\$ \_\_\_\_\_

AMOUNT OF CREDIT MAY NOT EXCEED TAX LIABILITY

ATTACH THIS FORM TO YOUR RETURN

## INSTRUCTIONS

This credit is available to certain sole proprietorships, partnerships, and small business corporations that qualify under MCA 15-31-201.

The tax credit is available only for the procurement of machinery and/or equipment that is depreciable (Defined in IRS Code Section 167). The machinery and/or equipment must be used in Montana; primarily for the collection or processing of reclaimable material or in the manufacturing of finished products from reclaimed material or to treat soils contaminated by hazardous wastes.

The basis for the credit is generally the cost of the property before consideration of trade-in equipment. An exception to this is that the basis shall be reduced by any trade-in which has had this credit previously taken on it. This includes the purchase price, transportation cost (if paid by the purchaser) and the installation cost before depreciation or other reductions. This credit does not increase or decrease the basis for tax purposes.

Recycling machinery and/or equipment must be located and operating in Montana on the last day of the taxable year for which the credit is claimed. The machinery or equipment must be used to collect, process, separate, modify, convert or treat solid waste into a product that can be used in place of a raw material for productive use or to treat soils contaminated by hazardous wastes. This does not include transportation equipment unless it specialized to the point that it can only be used to collect and process reclaimable material.

The owners of a small business corporation, partnership or sole proprietorship must prorate the credit in the same proportion as their ownership in the business unless an agreement states otherwise.

Only a taxpayer that owns an interest either directly or through a pass-through entity such as a partnership or S corporation and is operating the equipment as the primary user on the last business day of the year may claim the credit.

The credit is limited to the amount of the taxpayer's income or corporation tax liability. Any excess credit is not refundable nor can it be carried back or forward to other tax years.

The Department may disallow a credit resulting from a sale or lease when the overriding purpose of the transaction is not to collect or process reclaimable material or manufacture a product from reclaimed material.

## DEFINITIONS

“COLLECT” is the collection and delivery of reclaimed materials to a recycling or reclaimable materials processing facility.

“MACHINERY or EQUIPMENT” is property having a depreciable life of more than one year. The machinery or equipment collects or processes reclaimable material or is used in the manufacturing of a product from reclaimed material.

“RECLAIMABLE MATERIAL” is material that has useful physical or chemical properties after serving a specific purpose and that is normally disposed of as solid waste by a consumer, processor or manufacturer.

Material may not be considered reclaimed by the consumer, processor, manufacturer that generated the material.

“RECYCLED MATERIAL” is a substance that is produced from reclaimed material as provided in Montana Code Annotated, 15-32-609 and defined under the Administrative Rules of Montana, 42.15.507(3).

Reclaimed material collected, processed or used to manufacture a product may not be an industrial waste generated by the person claiming the tax credit.

The tax credit allowable under this section may not exceed the current years liability. Unused or excess credit may not be refunded and may not be carried back to prior years or forward to any succeeding tax year.